

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Application No.:	10/591,449	Confirm. No.:	1641
Filing Date:	September 1, 2006	Art Unit:	1793
First Inventor:	Yuji AOKI	Customer No.:	23364
Attorney No.:	AOKI3008/GAL/PMB	Examiner:	MICALI, Joseph
For:	RARE EARTH OXIDE SUPERCONDUCTOR AND PROCESS FOR PRODUCING THE SAME		

**REPLY UNDER 37 C.F.R. § 1.114 TO OFFICE ACTION
OF AUGUST 25, 2009**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is responsive to the Office Action dated August 25, 2009 in the above application maintaining the final rejection of the claims (mailed June 16, 2009). A Request for Continued Examination is filed concurrently herewith, effectively removing the finality of the rejection of the claims.

In view of the following amendments and remarks, reconsideration of the application is respectfully requested.

A Notice of Appeal was filed on September 16, 2009, thus restarting the time period for reply, and a petition and/or appropriate fee to extend the period of reply by two months are concurrently filed herewith.